

JAN 09 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Nemmara Chithambaram et al.	Examiner:	Temica M. Bearnier
Serial No.:	10/037,805	Group Art Unit:	2681
Filed:	December 26, 2001	Docket:	G&C 30566.201-US-01
Patent No.:	6,963,748	Issued:	November 8, 2005
Title:	MOBILE DEVICE LOCATOR ADAPTER SYSTEM FOR LOCATION BASED SERVICES		

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being filed via facsimile transmission to the U.S. Patent and Trademark Office on January 9, 2006.

By: 

Name: Jason S. Feldman

APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 C.F.R. 1.705

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Application for Patent Term Adjustment is being submitted in accordance with 35 U.S.C. §154(b)(3) and 37 C.F.R. §1.705.

The Applicants request a review of the patent term as set forth on the above-identified patent issued on November 8, 2005. This Application is being submitted within two months of the issuance of the patent based on the Patent term adjustment specified in the Issued Patent.

Statement of Facts

The Notice of Allowance for the above-identified patent was mailed on March 23, 2005. The accompanying "Determination of Patent Term Adjustment under 35 U.S.C. 154(b)" provides that the adjustment to date is "547" days.

The patent issued on November 8, 2005, and the "Determination of Patent Term Adjustment under 35 U.S.C. 154(b)" that accompanied the issue notification provided for a Patent Term adjustment of 347 days.

Applicants submit that the correct patent term adjustment is 423 days. Specifically, under 37 C.F.R. §1.702(a), the U.S. Patent and Trademark Office failed to take certain actions within specified time frames. Further, the amount of time that the term was reduced based on delays by the Applicants were incorrectly calculated by the Patent Office.

The relevant dates as specified in §§1.703(a) through (e) and §§1.704(a) through (e) for which an adjustment is sought and the adjustment as specified in §1.703(f) to which the patent is entitled is set forth in the following table:

Date	Contents Description	PTO (days)	Applicant (days)	Rationale
12-26-2001	Patent Application Filed	0	0	
01-12-2003	Information Disclosure Statement (IDS) Filed	0	0	Did not require supplemental Office Action or Notice of Allowance under 1.704(c)(6)
04-26-2003	14 months from filing			
01-12-2004	Information Disclosure Statement (IDS) Filed	0	0	Did not require supplemental Office Action or Notice of Allowance under 1.704(c)(6)
08-26-2004	Mail Non-Final Rejection	547	0	Time between 14 months from filing and mailing of first action 1.703(a)(1)
11-24-2004	Response after Non-Final Action	0	0	
03-23-2005	Mail Notice of Allowance	0	0	
04-07-2005	Amendment under Rule 312 Filed	0	0	
06-23-2005	Issue Fee Paid	0	0	
08-07-2005	4-months from Rule 312 Amendment	0	120	Number of days from four months from filing 1.312 amendment 1.704(c)(10)(ii)
09-01-2005	Citation of Prior Art in File under 37 CFR 1.501(a)	0		
09-21-2005	Amendment under Rule 312 entered	0	0	
09-21-2005	Application is considered ready for Issue and is Received into Pubs	0	20	Number of days from citation of prior art under 1.501(a) and date app is ready for issue
10-19-2005	PTA 36 Months	0	0	
11-08-2005	Patent Issue Date	16	0	Number of days from 4 months to the date the patent was issued 1.703(a)(6)
		563	140	423 Days Total

The above-identified patent application is not subject to a terminal disclaimer.

As indicated above, Applicants submit that the total PTO delays were 563 days. Further, the total applicant delays under 37 CFR 1.704 were 140 days resulting in a total of 423 days of PTA.


The Patent Term adjustment history provides for a 70 day delay of applicant for "Workflow-Drawings Finished", 69 days for "Miscellaneous Incoming Letter" dated 09-01-2005, and 77 days for the "Amendment After Notice of Allowance (Rule 312)" dated 04-07-2005. Applicants note that these applicant delays are incorrect as noted above. In this regard, the workflow drawings finished of 70 days applicant delay is not based on any PTA adjustment rules. In this regard, drawings were not submitted and the issue fee was timely paid on June 23, 2005.

This Application is being submitted by facsimile, and thus Applicants request that the required Application fee of \$200 under 37 CFR 1.18(e) be charged to the Deposit Account No. 50-0494. Any other fees should be charged to Deposit Account No. 50-0494 as well.

Respectfully submitted,
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Date: January 9, 2006

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